

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
ENTERED
TAWANA C. MARSHALL, CLERK
THE DATE OF ENTRY IS
ON THE COURT'S DOCKET

IN RE:

ESTILL MEDICAL TECHNOLOGIES, INC.,

DEBTOR.

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CASE NO. 4-01-48064-DML-11

Memorandum Order

Before the court is Eagle Equity I, L.P.'s ("Eagle") Motion to Re-Open Record to Permit Consideration of the Affidavit of John K. Turner and/or Permit Additional Testimony (the "Motion") filed March 1, 2004. Because the facts and legal arguments in this matter are adequately presented in the materials before the court, the court in its discretion finds that Eagle's Motion shall be, and hereby is, **DENIED**. See *Lifemark Hosps., Inc. v. Liljeberg Ents., Inc. (In re Liljeberg Ents., Inc.)*, 304 F.3d 410, 433 n.43 (5th Cir. 2002) (confirming that standard of review for denial of motion to supplement the record is for abuse of discretion only); *Broadnax v. Homeside Lending, Incorporated (In re Broadnax)*, 85 Fed. Appx. 334, 335 (4th Cir. 2004) (denying supplementation of the record because additional materials would not aid in decisional process).

SO ORDERED this 26th day of March 2004.



DENNIS MICHAEL LYNN
UNITED STATES BANKRUPTCY JUDGE